IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

And
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT APPEAL NO : 1525 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 13/09/2004 in WP NO: 87325 OF 2004 on the file of the High Court.)

Between:

G. SITARAM, S/o. Late Gandham Suryanarayana,
Andhra Prabha Daily, R/o. H.No. S-C/589, NGO's Colony, Vanasthalipuram,
HYDERABAD - 500 070.

..... APPELLANT

AND

1. Government of Andhra Pradesh, Rep. by its Principal Secretary,

Labour, Employment, Training & Factories (Lab -I) Department Andhra Pradesh Secretariat, Hyderabad - 500 022.

2 The Minister of Information and Public Relations, Government of Andhra Pradesh, Secretariat, Hyderabad - 500 022.

3 The Commissioner of Labour, Andhra Pradesh,
Anjaiah Bhavan, Chikkadpally, Hyderabad - 500 022.

4 Express Publications (Madurai) Limited, Rep. by its Chairman and Managing Director - Sri Sonthalia,
Regd. Office, Express Estate, Mount Road, Madras - 600 002.

5 Express Publication (Madurai) Limited, Rep. by its Regional Manager,
Behind Blue Moon Hotel, Begumpet, HYDERABAD - 500 016.

6 Andhra Prabha Management of Vasavi Communications Limited, Rep. by its Concerned Manager,
H.No.6-3-4, Prem Nagar, HYDERABAD - 500 016.

7 Vasavi Communications Limited, Rep. by its Sri Mootha Gopalakrishna,
Regd. Office: Block 1, M/s. Halycon Times, Nagamalli Thota Junction,
KAKINADA - 533 003.

8 M. Sreerama Murthy, S/o. M. Subrahamanyam,
Andhra Prabha Daily, 19, Venus Apartments, S.P. Nagar, Moulali,
HYDERABAD - 500 040

9 K. Selva Raj, S/o. K. Simon,
Andhra Prabha Daily, Door No. 2-36, opp: Raghava Hospital, Chaitanyapuri, Dilsukhnagar,
HYDERABAD - 500 060

10 I. Rama Rao, S/o. Narasaiah,
Andhra Prabha Daily, H.No. 1-10-28/231/79, Nagarjuna Nagar Colony, Indira Nagar, Kushaiguda,
HYDERABAD - 500 062

11 K. Satyanarayana, S/o. K. Venkataratnam,
Andhra Prabha Daily, H.No. 1-1-287/11/4, Bapunagar, Chikkadpally,
HYDERABAD - 500 020

12 P. Ramprasad, S/o. OP. Chandramouli,
Andhra Prabha Daily, Flat No.406, Satya Mansion, Near Manjira Water Tank, Jawahar Nagar, Moula-Ali,
HYDERABAD - 500 040

13 M.V.S.N. Ganapathi Raju, S/o. M. Nageswara Rao,
C/o. K.V.N.S. Srinivas, G-52, Ilct Quarters, Habisiguda,
HYDERABAD - 500 007.

14 K. Venkata Durga Prasad, S/o. Srinivas,
C/o. K.V.N.S. Srinivas, G-52, IICT Quarters, Habsiguda,
HYDERABAD - 500 007.

.....RESPONDENTS

Counsel for the Appellant: MR.I.MALLIKARJUNA SHARMA

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent Nos. 4 to 14: --N.P.--

The Court, at the stage of admission, made the following:

(Oral order:- Per: The Hon'ble Mr. Justice J. Chelameswar)

Aggrieved by an order of a learned single Judge in W.P.Sr.No.87325 of 2004 and W.P.M.P.Sr.No.87327 of 2004, the 1st petitioner therein preferred the present writ appeal. The appellant and respondent Nos. 8 to 14 herein claim to be the employees of the 4th respondent herein. It is alleged that the 4th respondent had transferred one of its undertakings (we do not propose to examine the meaning of the expression, in view of the pendency of the writ petition) to the 7th respondent. Assailing the said transfer, the writ petition is filed by eight (8) petitioners. They paid only one set of court fee. The office raised an objection that they are required to pay as many sets of court fee as many writ petitioners are there in the writ petition. The matter was heard by the learned single Judge of this Court. Learned Judge, by the impugned order, sustained the office objection and directed the writ petitioners to pay different sets of court fee and

hence the present appeal.

Rule 4 (A) of the Writ Proceedings Rules, 1977reads as follows:

> *"4A. Two or more persons raising common questions of law or persons having a common cause of action may join in a single writ petition paying a single set of court fees."*

It can be seen from the Rule extracted above, two or more persons raising common questions of law may join in a single writ petition by paying a single set of court fee. Undoubtedly, the question raised by the writ petitioners whether the alleged transfer of an undertaking by the 4th respondent to the 7th respondent is valid or not is a common question of law in which all the writ petitioners are interested. Therefore, there is a common question of law involved in the writ petition. Obviously, the attention of the learned single Judge was not drawn to the specified language of the relevant Rule. In the circumstances, we allow the writ appeal.

The office objection is over-ruled. The office is directed to number the writ petition on payment of only one set of court fee and post the writ petition for admission before the appropriate court. No costs.

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J. CHELAMESWAR, J

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GODA RAGHURAM, J

Dt. 07-10-2004

Pvks/*

To

1. The Principal Secretary,
Labour, Employment, Training & Factories (Lab -I) Department, Government of Andhra Pradesh, Andhra Pradesh Secretariat, Hyderabad - 500 022.
2. The Minister of Information and Public Relations, Government of Andhra Pradesh, Secretariat, Hyderabad - 500 022.
3. The Commissioner of Labour, Andhra Pradesh,
Anjaiah Bhavan, Chikkadpally, Hyderabad - 500 022.

4. 2 CCs. to the learned Government Pleader for Revenue, A.P. High Court Buildings, Hyderabad (OUT).

5.2 CD copies